

Fire Safety Code Board

Of Appeal & Review

Minutes of May 5, 2009 hearing

The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, May 5, 2009 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Jackson, Filippi, Blackburn, Preiss, Walker, Dias, Jasparro and Richard. Commissioner Pearson was absent from the hearing. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella. The following cases were heard.

APPEAL #080256: Nicholas Mancini, Esq., for the property located at 1655 Elmwood Avenue, Cranston. Chief Gumbley and ADSFM Bathgate appeared for the Cranston Fire Marshal's office. Commissioner Dias recused himself from consideration of this case. Commissioner Walker made a motion, seconded by Commissioner Filippi, to grant the Applicant a time variance of thirty days in which to present plans for the correction of any outstanding deficiencies to the Cranston Fire Marshal's office and an additional 120 days in which to implement those plans. The Cranston Fire Marshal's office is authorized to extend the above deadlines for good faith efforts shown by the Applicant. This file is to remain open. The motion was unanimous.

APPEAL #060802: Mr. Rocco Gesualdi, for the property located at 1073 Mineral Spring Avenue, North Providence. Chief of Inspections Scott Caron appeared for the State Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioners Walker and Dias, to grant the Applicant's requested relief on the basis of structural hardship. The motion was unanimous.

APPEAL #060872: The Presentation Columbus Club, for the property located at 15 Bassett Street in North Providence. Chief of Inspections Scott Caron appeared for the State Fire Marshal's office. It was determined that the Applicant will return to the Board, with its plan of action for the correction of the deficiencies within this facility, on June 9, 2009. No determination was made at this time.

APPEAL #060852: Mr. Edmund Restivos, for the property located at 1675 Douglas Avenue in North Providence. ADSFM Gregory Unsworth appeared for the North Providence Fire Marshal's office and Chief of Inspections Scott Caron appeared for the State Fire Marshal's office. It was determined that the Applicant will return to the Board, with its plan of action for the correction of the deficiencies within this facility, on June 9, 2009. No determination was made at this time.

APPEAL #090099: Ed Wojcik Architect, LTD, for the property located at 210 Angell Street in Providence. Lt. Richard Fournier appeared for the Providence Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Blackburn, to grant the

Applicant's requests for variance, there being no objection by the Providence Fire Marshal's office. The motion was unanimous.

APPEAL #090024: Hughes Associates, Inc., for the property located at 147 Bay Spring Avenue in Barrington. Chief Deputy Michael DiMascolo and Chief of Inspections Scott Caron appeared for the State Fire Marshal's office and Chief Gerald Bessette appeared for the Barrington Fire Marshal's office. Commissioner Blackburn recused himself from consideration of this case. Commissioner Dias made a motion, seconded by Commissioner Richard, to affirm that NFPA 101A may be used to evaluate this facility. The motion passed with the Board noting the objection of Chief Bessette.

APPEAL #090054: North Bay Manor, for the property located at 171 Pleasant View Avenue in Smithfield. Chief Deputy Michael DiMascolo, Chief of Inspections Scott Caron and ADSFM Christine Kent appeared for the State Fire Marshal's office. Commissioner Blackburn recused himself from consideration of this case. Commissioner Richard made a motion, seconded by Vice Chairman Newbrook and Commissioner Jasparro, to grant the Applicant a variance to permit health care on all three levels of this facility. The motion was unanimous.

APPEAL #090005: Mr. Raymond Marshall, for the property located at 120 Dexter Road, East Providence. DSFM Wade Palazini appeared for the State Fire Marshal's office. Vice Chairman Newbrook made a

motion, seconded by Commissioner Richard, to grant the Applicant's requested relief for variance on item #2 of the December 3, 2008 plan review denial letter and to grant relief on item #3 upon determination by a design professional that explosion venting has been provided. (Item #1 was for informational purposes only and not a violation of the code.) The motion was unanimous.

APPEAL #090012: Director Erin Gilliatt, for the property located at 115 Williams Avenue in East Providence. Lt. Michael Carey appeared for the East Providence Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioners Richard and Jasparro, to grant the variances requested by the Applicant. The East Providence Fire Marshal's office had no objection and the motion was unanimous.

APPEAL #090125: Mr. William Starck, for the property located at Providence Place Mall (CVS relocation). DSFM Wade Palazini appeared for the State Fire Marshal's office. Commissioner Jackson made a motion, seconded by Commissioner Jasparro, to approve the Applicant's plan to install a two-hour rated vision panel in the store and to install a quick response side wall sprinkler head on each side of the vision panel (window). The motion passed over the opposition votes of Commissioners Filippi, Dias, Blackburn and Preiss.